

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

BENITO HERNANDEZ,

Plaintiff,

v.

CV No. 18-135 CG

NANCY A. BERRYHILL,
Acting Commissioner for the
Social Security Administration,

Defendant.

**ORDER GRANTING STIPULATED MOTION TO EXPUNGE ALL COPIES OF
ADMINISTRATIVE RECORD**

THIS MATTER is before the Court on the parties' *Stipulated Motion to Expunge All Copies of Administrative Record*, (Doc. 25), filed October 10, 2018. In the Motion, the parties state that pages 395 and 478 of the Certified Administrative Record filed on May 14, 2018 (Doc. 15) contain information pertaining to an individual other than Plaintiff. The Court, having read the Motion and being fully advised in the premises, finds that the Motion is well-taken and shall be **GRANTED**.

IT IS THEREFORE ORDERED that:

1. All copies of the Certified Administrative Record filed on May 14, 2018 (Doc. 15) in the possession of the Plaintiff's attorneys, the Assistant United States Attorney, and the agency assigned to this case be destroyed.
2. All hard copies and electronic copies of the Certified Administrative Record filed on May 14, 2018 (Doc. 15) will be destroyed by the Clerk of the Court, including the document available via the Case Management and Electronic Case Filing (CM/ECF) system.

3. The Commissioner will file a Supplemental Certified Administrative Record, with appropriate redactions. The Supplemental Certified Administrative Record will reflect that pages 395 and 478 pertained to an individual other than the Plaintiff and have been removed.

4. Pages 395 and 478 in the Certified Administrative Record filed on May 14, 2018 (Doc. 15) will not be disclosed to anyone.

5. The inadvertent inclusion of pages 395 and 478 in the Certified Administrative Record filed on May 14, 2018 (Doc. 15) will not be a basis for claimed error.

IT IS SO ORDERED.



**THE HONORABLE CARMEN E. GARZA
CHIEF UNITED STATES MAGISTRATE JUDGE**

Submitted by:

Counsel for Defendant:

John C. Anderson
United States Attorney

/s/Dorrellyn K. Dietrich (electronically submitted 10/10/2018)

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/s/Francesca J. MacDowell (signature provided by counsel for the Commissioner with consent to file as stipulated motion on 10/09/2018)

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